



STATE OF IOWA

TERRY E. BRANSTAD, GOVERNOR
KIM REYNOLDS, LT. GOVERNOR

DEPARTMENT OF NATURAL RESOURCES
ROGER L. LANDE, DIRECTOR

April 15, 2011

Steve Vohs
5783 110th Street
Galva, IA 51005

SUBJECT: Flood Plain Complaint Investigation Complaint #13238 Cherokee County, IA
NOTICE OF VIOLATION -- 567 IAC 71.9(1)
ACTION REQUIRED

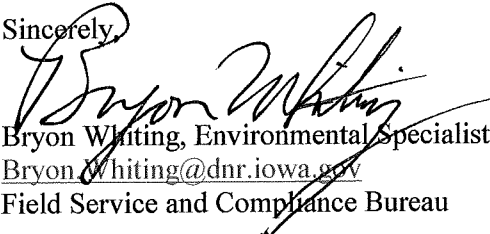
Dear Mr. Vohs:

This office received a complaint alleging that you have placed concrete chunks along the banks of the Maple River in Section 28, T-90-N and R-39-W, Diamond Township, in Cherokee County, IA. On April 13, 2011, I investigated this complaint and I discovered that there were concrete chunks placed on both banks of the Maple River on property under your control. I also observed a pile of concrete chunks on top of the bank that looked like was intended to be placed on the bank of the Maple River for what appears to be bank stabilization efforts. The Maple River has at least 137 square miles of drainage at the location mentioned above.

In a cursory review of our files on April 14, 2011, it appears that you have not (as of this writing) submitted a complete flood plain development application for this stabilization project and therefore, authorization for this as-built project has not been granted by the Iowa DNR. As such, your project violates Subrule 567 Iowa Administrative Code (IAC) 71.9(1). A copy of that subrule is enclosed.

Therefore, you are required to immediately cease any activities to deposit any materials into the property mentioned in this letter or other flood plains within the State of Iowa unless you have obtained prior written authorization from Iowa Department of Natural Resources. Applications for such projects require submittal of Joint Application (Form #36). That form can be obtained and printed from <http://www.iowadnr.gov/water/floodplain/fpforms.html>. And you are also required to submit an as-built application for your stream bank stabilization for the work that has already been done and for the scope of the project you plan to complete on Form #36 and submit that application to Karen Smith in our flood plains section in our Des Moines office by May 16, 2011. Information and instructions regarding how to complete the application and where to send the complete application can also be obtained from the web address mentioned above. If you have any concerns regarding this matter, feel free to contact me. If you have any questions regarding completing the joint application, please contact Ms. Smith at 515/281-4310 or Karen.Smith@dnr.iowa.gov.

Sincerely,


Bryon Whiting, Environmental Specialist Senior
Bryon.Whiting@dnr.iowa.gov
Field Service and Compliance Bureau

BW:lw

c: -Karen Smith, WQB, FPS, Des Moines

enc: -567 IAC 71.9(455B)

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